

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of:)
)
 Application of)
 ALEE CELLULAR COMMUNICATIONS)
)
 For Authorization to Construct)
 Nonwireline Cellular System in)
 Texas RSA 21 Market 672A)
)

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

WT Docket No. 02-28

File No. 11025-CL-P-672-A-89

To: Enforcement Bureau
 Attn: Judy Lancaster

**ANSWERS OF ALEE CELLULAR COMMUNICATIONS
 TO ENFORCEMENT BUREAU'S INTERROGATORIES**

Alee Cellular Communications ("Alee"), by Terry H. Jones, Managing Partner
 Northeast Cellular Associates, Partner in Alee Cellular Communications, submits this its
 Answers to the Enforcement Bureau's Interrogatories served April 25, 2002.

Each Interrogatory is restated with the answer following. Documents identified
 in response to the Interrogatories are attached as exhibits.

ANSWERS TO INTERROGATORIES

1. Identify each and every person whom Alee intends to call as a witness at the hearing in the above captioned matter.

It is unknown at this time whom Alee will call as witnesses at the hearing. This
 information is being developed as part of Alee's direct case, and will be part of
 the exchange on June 7, 2002.

2. Identify each and every document Alee intends to use at the hearing in the above-captioned matter. Copies of those documents may be attached in lieu of identification.

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Alee does not know at this time each and every document that it intends to use at the hearing. Copies of documents that Alee intends to introduce in its direct case will be exchanged on June 7, 2002.

3. **State whether Alee, its partners, principals or officers have been convicted of any crime or offense whatsoever or plead *nolo contendere* or had probation without judgment imposed.**

Neither Alee Cellular Communications ("Alee") nor, to the best of my knowledge, any of its partners have been convicted of any crime or offense, other than traffic violations, whatsoever or plead *nolo contendere* or had probation without judgment imposed. As a general partnership, Alee has no officers and no principals other than its partners. The Bureau defines Alee to include in addition to the partnership entity and its partners, "principals, employees, agents, consultants or other persons acting on its behalf." Alee does not know whether any of its employees, agents, consultants or other persons acting on its behalf may or may not have been convicted of any crime or offense whatsoever plead *nolo contendere* or had probation without judgment imposed.

4. **State whether Alee has held or possessed a license, permit or pending application requiring Federal Communications commission approval since September 1, 1988.**

Alee Cellular Communications filed numerous applications for cellular RSA authorizations in late 1988, including the application for Texas RSA 21, the subject of this proceeding. It also filed an application for New Mexico RSA 3, which was granted under call sign KNKN271. As outlined in the Memorandum Opinion and Order, released in this proceeding on February 22, 2002, the New Mexico RSA 3 authorization was revoked by the Commission based upon misrepresentations/lack of candor by Alee in connection with the New Mexico

RSA 3 application process. The Commission decision was affirmed by the U.S. Court of Appeals for the D.C. Circuit and the Supreme Court in October of 2001 denied certiorari.

There were various modification applications filed in connection with the operation of KNKN271, a list from the FCC's ULS database is attached as Exhibit 4-1.

The original New Mexico authorization was issued for a 10-year term expiring in 2000. A renewal application was filed, File No. 0000216499, and granted December 4, 2000 with an expiration date of October 1, 2010.

As to the various other cellular RSA applications filed by Alee, they were not picked in any lottery and accordingly have been dismissed pursuant to applicable procedures.

To the best of my knowledge, no Alee partner currently possesses an FCC license or is a controlling party in any entity that holds an FCC license. Becky Jo Clark has held SMR licenses WPEY428 and WPEQ398. Other partners may have held licenses in the past. Also, some of the partners may have filed applications or been part of groups that filed applications.

Alee does not have sufficient information to respond to Interrogatory 4 as it relates to employees, agents, consultants or other persons acting on its behalf.

- 5. State whether Alee has had a license suspended or revoked by a local, state or federal regulatory agency or been subject to any disciplinary action since September 1, 1988. If yes, provide a written explanation of the circumstances, including the name of the disciplining authority, the date(s) of the actions and the disposition.**

Other than the New Mexico RSA 3 authorization, which was revoked by the Federal Communications Commission, Alee Cellular Communications ("Alee")

has not had a license suspended or revoked by a local, state or federal regulatory agency or been subject to any disciplinary action since September 1, 1988. To the best of my knowledge, no Alee partner has had a license suspended or revoked by local, state or federal regulatory agency or been subject to any disciplinary action since September 1, 1988. As to employees, agents, consultants or other persons acting on its behalf, Alee has no information.

6. **State whether Alee has, since September 1, 1988, been found out of compliance with any requirements imposed by a local, state or federal regulatory agency. If yes, provide copies of the findings of non-compliance including, if applicable, reports of non-compliance or any final disposition or conclusion reached by the applicable government authority.**

Alee Cellular Communications ("Alee") has not, since September 1, 1988, been found out of compliance with any requirements imposed by a local, state or federal regulatory agency other than the findings with respect to the New Mexico RSA 3 authorization. To the best of my knowledge, no partner in Alee Cellular Communications has been found out of compliance since September 1, 1988 with any requirements imposed by a local, state or federal regulatory agency. As to employees, agents, consultants or other persons acting on its behalf, Alee has no information.

7. **Describe with particularity the partnership or business structure of Alee since January 1, 1988.**

Alee Cellular Communications was formed as a general partnership in 1988 and has maintained that status.

8. **Identify each of the principals, partners, shareholders, directors and officers of Alee since September 1, 1988 and, for each, identify the specific position or relationship held by that person, the dates such position or relationship was held and the duties and authority of that position or relationship. For each shareholder, describe each class or type of stock held, the number of shares of such stock held, the dates such shares were held and the percentage of**

such stock ownership in Alee. For each partner, describe the class/type of partnership interest held, the dates such partnership interest was held and the percentage of ownership interest held.

The current Alee Cellular Communications partners and the percentages held by those partners are listed below:

<u>Partner</u>	<u>% Ownership Interest</u>
Bernstein, Robert	20.5190%
Bunis, Joel	0.9920%
Cellular Dream *	
(A General Partnership)	6.4540%
Clark, Becky Jo	15.5200%
Di Costanzo, Vincent	4.2030%
Grumer, Diana	1.6180%
Kelner, Nancy	4.2030%
Malanga, George G.	7.8690%
McInerey, Jay	4.1060%
Mulvaney, Marie-Nadine	3.5060%
Northeast Cellular Assoc. **	10.2150%
(A General Partnership)	
Resnick, Wendi ***	0.9920%
Riahi, Behnan ****	1.4010%
Riahi, Bobak ****	1.4010%
Riahi, Marlene ****	1.4020%
Rogers, Edward	9.2710%
Spence, Dennis R.	6.3280%

***Partners in Cellular Dream**

John P. Dolphin
Francis T. Maloney
Maria Vega
Kenneth Kline
James Traynor

****Partners in Northeast Cellular Assoc.**

Terry H. Jones
Andrew A. Amoroso
Warren B. Hart
John Yarosz
Jerome Palko

***W. Resnick obtained half of J. Bunis' interest in divorce.

****Marlene Riahi is wife of A. Riahi who died in September 1999. Behnan and Bobak are minor children of A. Riahi. M. Riahi votes interests of minor children.

As a general partnership, Alee has no shareholders, directors or officers. Other than its partners, it has no principals. Each partner has the rights and privileges of general partners. The partnership has an executive committee elected from time-to-time by the partners. The Executive Committee currently consists of Becky Jo Clark, Terry Jones and Robert Bernstein. The Executive Committee handles the day-to-day activities of the partnership subject to instructions and votes by the full partnership.

9. **State whether Sharifan was a partner, office or shareholder of Alee Cellular Communications on the execution date of Alee's September 1988 application. If so, describe with particularity his relationship with Alee and identify all of the ownership interests in Alee held by Sharifan on the execution date.**

Sharifan was listed as a partner in Alee Cellular Communications ("Alee") on the execution date of the Alee Texas RSA 21 application with a partnership interest of 4.0%. However, Sharifan's interest in Alee and the Texas 21 application was terminated between the execution of the application and the date it was filed with the Federal Communications Commission. As of the filing date, October 8, 1988, Sharifan had no interest in the Alee Cellular Communications partnership or the Texas RSA 21 application.

10. **State whether Sharifan was a citizen of the United States on the execution date of Alee's September 1988 application.**

Based on information available after the execution of the Texas RSA 21 application in September of 1988, Sharifan was not a citizen of the United States on the execution date.

11. **State with specificity the relationship between Alee and Sharifan, including Alee's relationship with any business or entity in which Sharifan has had an ownership or management interest, since the execution date.**

Other than as noted above, Alee Cellular Communications, the partnership, has had no relationship with any business or entity in which Sharifan has had an ownership or management interest since September 1988. To the best of my knowledge, no partner of Alee Cellular Communications has had any relationship with any business or entity within which Sharifan has had an ownership interest since the September 1988 execution date. Alee Cellular Communications has no knowledge of any relationship that any of its employees, agents, consultants or other persons acting on its behalf may have had with any business or entity in which Sharifan has had an ownership or management interest since September 1988.

12. State whether the September 1988 application, as originally filed, was accurate in all respects when it was filed.

The Texas 21 application as filed on October 8, 1998 was accurate in all essential respects. However, as noted in subsequent amendments, there were minor discrepancies in the application.

13. Identify all persons who aided in the preparation of Alee's September 1988 application.

The Cellular Corporation ("TCC") and Allan Kane, believed to be an agent of TCC, aided in the preparation of the Texas RSA 21 application. It is not known who within the TCC organization actually prepared the application.

14. If the September 1988 application was not accurate when it was filed, identify each inaccuracy contained in the application and, for each such inaccuracy:

- (a) explain why the inaccurate information was included in the application;**

It is not known why the inaccurate information was included in the application.

- (b) **identify the person responsible for including the inaccurate information in the application;**

The Cellular Corporation and its agents were responsible for preparing the application. However, the identity of the person or persons responsible for including the inaccurate information in the application is not known.

- (c) **provide the correct information as of the execution date of the application.**

See response to Interrogatory 15.

15. **State whether any amendments to the September 1988 application were filed with the FCC and, for each such amendment filed:**

- (a) **provide the date the amendment was filed,**
- (b) **identify the person(s) who prepared the amendment,**
- (c) **identify the person who executed the amendment on behalf of Alee,**
- (d) **identify the portion(s)/section(s) of the application changed or amended, and**
- (e) **describe the changes made in each.**

The following Amendments have been filed:

May 11, 1992
June 10, 1993
September 21, 1999

These Amendments were prepared on behalf of the partnership by our counsel in consultation with Becky Jo Clark, Terry Jones and Robert Bernstein.

16. **State whether the information contained in the September 1988 application or its latest amendment, if any, is accurate as of today. If the information is not currently accurate, identify the portion(s)/section(s) containing currently inaccurate information and, for each:**

- (a) **explain why the information is not currently accurate;**

It is believed that the information in the Texas RSA 21 application, as amended, is accurate in all essential respects. However, as noted in response to Interrogatory 8, due to death and divorce, partnership interests have changed hands, and there have been adjustments in partnership interests to reflect actual capital payments.

(b) **provide currently accurate information.**

See response to Interrogatory 8.

Respectfully submitted,

ALEE CELLULAR COMMUNICATIONS

By: 

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David L. Hill

Audrey P. Rasmussen

Their Attorneys

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Dated: May 9, 2002

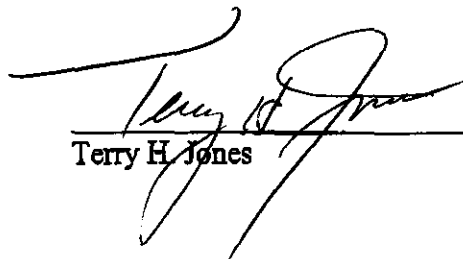
Attachments

EXHIBIT 4-1

<u>0000216499</u>	Renewal Only	Granted	09/08/00
<u>02430CLML97</u>	Modification	Granted	04/29/97
<u>06193CLML94</u>	Modification	Granted	08/04/94
<u>06197CLML94</u>	Modification	Granted	08/04/94
<u>06195CLML94</u>	Modification	Granted	08/04/94
<u>06196CLML94</u>	Modification	Granted	08/04/94
<u>06194CLML94</u>	Modification	Granted	08/04/94
<u>04741CLML94</u>	Modification	Granted	06/06/94
<u>08151CLML91</u>	Modification	Granted	01/18/91
<u>62023CLMP99</u>	New	Granted	01/01/80
<u>10074CLP188</u>	Modification	Granted	

DECLARATION

The undersigned Terry H. Jones, Managing Partner, Northeast Cellular Associates, Partner in Alec Cellular Communications, under penalty of perjury, states that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge. In determining the substance of the Answers, he relied upon files he maintains concerning the identity of the partners and ownership interests and consultation with other Alec partners.


Terry H. Jones

Dated: May 8, 2002

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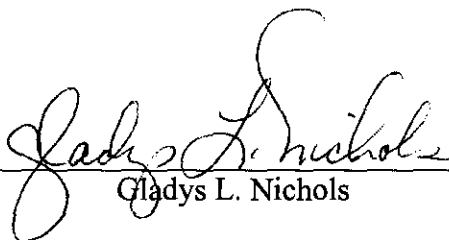
CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on the 9th day of May, 2002, a true and correct copy of the above and foregoing **ANSWERS OF ALEE CELLULAR COMMUNICATIONS TO ENFORCEMENT BUREAU'S INTERROGATORIES** was sent by U.S. Mail, with proper postage thereon fully paid, to:

The Honorable Arthur I. Steinberg *
Administrative Law Judge
Federal Communications Commission
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* Via Facsimile